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**PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:**

Name: Commissioner of Patents

Art Unit: 2882

Examiner: George Y. Wang

Phone: 703-305-7242

From: Joel A. Kauth for David J. Bailey  
Reg No. 41,886

Re: Application No. 09/547,790  
Filed April 12, 2000

Entitled SPATIALLY MODULATED INTERFEROMETER PRISM AND  
SHEARING DEVICE THEREFOR

File: C766:39260/RAG

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SEP 15 2003

TECHNOLOGY CENTER 2000

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO  
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON September 15, 2003.

  
Mary L. Morley

\*Correspondence:

Request for Continued Examination (RCE) Transmittal (3 pages);  
Petition for Extension of Time (1 page)

**F r Office Services Use Only**  
**R turn to Mary L. Morley**

**Christie, Parker & Hale, LLP**  
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Post Office Box 7068  
Pasadena, CA 91109-7068  
626-795-9900  
**Fax: 626-577-8800**

**confidential**

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Patent and Trademark Office on September 15, 2003.

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*Mary L. Morley*  
Mary L. Morley

SEP 15 2003

TECHNOLOGY CENTER 2800

Application Number : 09/547,790  
Filing Date : April 12, 2000  
Inventor(s) : Francis M. Reininger  
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM  
SHEARING DEVICE THEREFOR

Group Art Unit : 2882  
Examiner Name : George Y. Wang  
Docket No. : 39260/RAG/C766

Date: September 15, 2003

## MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

### 1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
- (1) ☐ An Action was mailed by the Office on         , as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was mailed on June 5, 2003
- ☐ via Express Mail
- ☒ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid and a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

### 2. SUBMISSION(S) REQUIRED (check at least one)

- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on June 5, 2003
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on

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**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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**Application No. 09/547,790**

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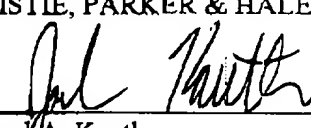
- \_\_\_\_\_ Other:  
b. ☐ Enclosed  
\_\_\_\_\_ Amendment/Reply  
\_\_\_\_\_ Affidavit(s)/Declaration(s)  
\_\_\_\_\_ Information Disclosure Statement  
\_\_\_\_\_ Documents under 37 CFR § 1.48  
☒ Petition for Extension of Time  
\_\_\_\_\_ Other:

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By \_\_\_\_\_

  
Joel A. Kauth  
Reg. No. 41,886  
626/795-9900

DJB/mlm

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**SEP 15 2003**

**TECHNOLOGY CENTER 2000**

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 09/547,790**

**PART I — BASIC FEE**

BASIC FEE	Small Entity \$375.00	Large Entity \$750.00	\$375
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**PART II — ADDITIONAL CLAIMS (compared to application before RCE)**

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	34	*35		x \$9.00	x \$18.00	
Independent Claims	8	**8		x \$42.00	x \$84.00	
First Presentation of Multiple Dependent Claim				\$140.00	\$280.00	
TOTAL CLAIMS FEE						\$
List Independent Claims: 6, 12, 13, 23, 24, 33, 34, 35						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
- Amount (total from Fee Calculation Sheet) \$375.00
  - X   The Commissioner is hereby authorized to charge the \$375.00 fee under 37 CFR 1.16 and 1.17 required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

MLM [RV1069643.1]-\*-09/15/03 5:01 PM

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PETITION FOR EXTENSION OF TIME  
FROM THE OFFICE ACTION**

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 15, 2003.*

  
Mary L. Morley

Applicant : Francis M. Reininger  
Application No. : 09/547,790  
Filed : April 12, 2000  
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM  
SHEARING DEVICE THEREFOR  
Grp./Div. : 2882  
Examiner : George Y. Wang  
Docket No. : 39260/RAG/C766

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
September 15, 2003


Commissioner:

Applicant petitions the Commissioner to extend the time for response to the Office action dated March 14, 2003 for three (3) months from June 14, 2003 to September 14, 2003. The fee for extension of time required by 37 CFR § 1.17 is calculated below.

CALCULATION OF FEE			
LENGTH OF EXTENSION	SMALL ENTITY	LARGE ENTITY	FEE
WITHIN FIRST MONTH	\$ 55	\$110	\$
WITHIN SECOND MONTH	\$205	\$410	\$
WITHIN THIRD MONTH	\$465	\$930	\$465
WITHIN FOURTH MONTH	\$725	\$1450	\$
WITHIN FIFTH MONTH	\$985	\$1970	\$

The Commissioner is hereby authorized to charge the \$465 fee under 37 CFR 1.16 and 1.17 required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
Joe A. Kauth  
Reg. No. 41,886  
628/795-9900

DJB/mlm  
MLM IRV1069645 1.-\*-09/15/03 5:08 PM